

**FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

**FILED**DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

APR 06 2020

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS**

Northern

DIVISION

By: JAMES W. MCCORMACK, CLERK  
ABU DEP CLERK

3:20-cv-109-JM-JJV

CASE NO. \_\_\_\_\_

Jury Trial: ☐ Yes ☐ No  
(Check One)

**I. Parties**

In item A below, place your full name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff: Frederick BERNARD MOORE  
ADC # \_\_\_\_\_

Address: 1809 North Rocking chair Rd PARAGOULD ARK

Name of plaintiff: \_\_\_\_\_  
ADC # \_\_\_\_\_

Address: \_\_\_\_\_

Name of plaintiff: \_\_\_\_\_ This case assigned to District Judge Moody  
ADC # \_\_\_\_\_ and to Magistrate Judge Volpe

Address: \_\_\_\_\_

In item B below, place the full name of the defendant in the first blank, his official position in the second blank, his place of employment in the third blank, and his address in the fourth blank.

B. Name of defendant: Brent COX

Position: Administrator

Place of employment: Greene County Detention Facility

Address: 1809 N. Rocking chair Rd. Paragould AR. 72450

Name of defendant: D. Crittenden

Position: Assist. Administrator

Name of defendant: Anthony Carter

Position: Provider

Place of employment: Greene County Detention facility

Address: 1809 N. Rocking Chair Rd. paragould Ar 72450

Name of defendant: J. Trowbridge

Position: nurse

Place of employment: Greene County Detention facility

Address: 1809 N. Rocking Chair Rd. paragould Ar 72450

Name of defendant: K. Johnson

Position: nurse

Place of employment: Greene County Detention facility

Address: 1809 N. Rocking Chair Rd. paragould Ar 72450

Name of defendant: T. Huggins

Position: Lpn

Place of employment: Greene County Detention facility

Address: 1809 N. Rocking Chair Rd. paragould Ar 72450

Name of defendant: T. Glenn

Position: Nurse

Place of employment: Greene County Detention facility

Address: 1809 N. Rocking Chair Rd. paragould Ar 72450

Name of defendant: Eric Higgins

Position: Sheriff

Place of employment: pulaski County Detention facility

Address: 2900 South Woodrow St Little Rock, Ar 72204

Name of defendant: Ms Burckett

Position: Nurse

Place of employment: pulaski County Detention facility

Address: 3201 W Roosevelt Rd, Little Rock, Ar 72204

Name of defendant: Mrs. Hopkins

Position: Nurse

Place of employment: pulaski County Detention facility

Address: 3201 W Roosevelt Rd, Little Rock, Ar 72204

Name of defendant: MS. HILLIARD

Position: Nurse

Place of employment: Turn Key Medical

Address: 3201 W Roosevelt Rd, Little Rock, Ar 72204

Name of defendant: Dr Mrs. Roberts

Position: DR. (A PRN)

Place of employment: Turn Key Medical

Address: 321 W Roosevelt Rd, Little Rock, Ar 72204

Place of employment: Greene County Detention facility

Address: 1809 N. Rocking Chair Rd. Paragould Ar. 72450

Name of defendant: Steve Franks

Position: Sheriff

Place of employment: Greene County Detention facility

Address: 1809 North Rocking Chair Rd. Paragould AR 72450

Name of defendant: B. Harris

Position: Sgt.

Place of employment: Greene County Detention facility

Address: 1809 N. Rocking Chair Rd. Paragould Ar. 72450

II. Are you suing the defendants in:

- ☐ official capacity only  
☐ personal capacity only  
☒ both official and personal capacity

III. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_ No ☒

- B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

- ☐ Parties to the previous lawsuit:

Plaintiffs: N/A

Defendants: \_\_\_\_\_

☐ Court (if federal court, name the district; if state court, name the county):

N/A

☐ Docket Number: N/A

☐ Name of judge to whom case was assigned: N/A

☐ Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A

☐ Approximate date of filing lawsuit: N/A

☐ Approximate date of disposition: N/A

IV. Place of present confinement: Greene County N/A Detention Facility

V. At the time of the alleged incident(s), were you:  
(check appropriate blank)

☒ in jail and still awaiting trial on pending criminal charges

☐ serving a sentence as a result of a judgment of conviction

☒ in jail for other reasons (e.g., alleged probation violation, etc.)  
explain: N/A still awaiting  
for criminal charges and violation.

VI. The Prison Litigation Reform Act (PLRA), 42 U.S.C. § 1997e, requires complete exhaustion of administrative remedies of all claims asserted, prior to the filing of a lawsuit. There is a prisoner grievance procedure in the Arkansas Department of Correction, and in several county jails. Failure to complete the exhaustion process provided as to each of the claims asserted in this complaint may result in the dismissal without prejudice of all the claims raised in this complaint.

A. Did you file a grievance or grievances presenting the facts set forth in this complaint?

Yes ☒ No ☐

B. Did you completely exhaust the grievance(s) by appealing to all levels within the grievance procedure?





Around May 11 2019 I was shipped from Calico Rock State Penitentiary to Pulaski County, Calico Medical staff sent mu meds with me which was humira for Rheumatoid Arthritis. Once there I put in a sick call and ask about mu meds and received a response that your meds will be placed on the medical cart. So when the nurse came in I ask Nurse Hopkins about my med's and she told me if I had any med's that it would show and it shows that I don't have any med's. I told her that I just got here and I came with mu med's which is humira and fiber she told me that they don't give out humira a step away from the cart because she don't have time for this. After she left I went to the deputy and ask for a grievance which deputy Williams was there when everything happen. I wrote it up so while waiting on a responses I ask the next shift about my med's which nurse Burckett said she seen it and she would go look into it. The next day on the 5.14.19 or 5.15.19 nurse Burckett came in D unit and gave me my shot. Two weeks later I ask the nurse un.k.f do she know if they have me another shot and she told me to put in a sick call. I put in a sick call which I was seen around the first week of Jun. I was told that they don't have me down for humira but they will give me some I Bu profen for mu swelling and pain, and put in to see the provider. I waited to be seen by the provider before I seen him I started hurting in my wrist and hand then my knees started to swell by the time I saw the provider I told him that I have (R.A.) and I take humira and I came here with a shot, he told me He will see if they will approve it but he don't think so because it cost too much. I waited a couple of weeks put in a request how ever I never got a responses until I put in a grievance. In between the time of getting a responses I put in a sick call which they did blood work I ask the nurse un.k.f did they have my medical records she said no and told me to go in to the Hall and wait to be call to be seen, once I was call the nurse un.k.f look at my knees and told she would give me something for the swelling I told her that I have (R.A.) and I was on humira she told me that they don't give that out here I responded that I'm in state and federal custody and both where giving it to me so you can't contact them for my med's she said she would look into it. A day or so passed and I contact mu federal lawyer and explain to him what was going on so Chris tarver said he would get my Medical Records and send them. I call mu sister and had her to call to see why they wouldn't give me my med's they told her they would look into it, but nothing was done. On 6.13.19 I received a responses to my grievance indicating that I was receiving Humira shot's so I thought that they were ordering them for me. Time went on I never received a shot after the one I came with from Calico Rock. On 7.14.19 I wrote another grievance explaining my issue and mu condition and put in a new sick call and call mu lawyer, he said they should have your records because he sent them. once seen again at sick call a few days later I showed un.k.f. nurse mu knees and mu left wrist they both was swollen and I was going through alot of pain so she put me in to be seen by another nurse I ask her have they got mu medical records she said no and I told her my lawyer from the feds said that he sent them here. she said that she would look to see where they are. I never heard anything else about them after that. On 7-22-19 I went to the Deputy station to ask them what I need to do to get help because they're giving me the runaround in medical and I'm hurting and it's getting worser! There was a un.k.f sat at the station that I talk to and showed her mu knees she said she would go talk to medical ask me my name and Book in number

left, I never heard anything back from her. At pill call I showed un.k.f. nurse my knees and told her that my med's was not helping me she told me to put in a sick call so I did. Once at sick call they look at my knees and change my med's from Iubprofen to Tylenal I explain that I have (R.A) and that was not going to help me and the un.k.f. nurse said that all she can give me right now until I see the Provider. My condition keep getting worse which had me frustrated because of the physical pain I was enduring so I wrote another Grievance since I had not got a response back from the one I wrote on 7.14.19. But this time I call my aunt and told her what was going on and she call the County and told them about my condition and ask why they cut off my med's. They told her that they don't know what's going on they will look into it.

We never heard anything else about it I now feeling depressed and my condition get worse and now starting to jump around to different parts of my body like my shoulder and elbow I put another sick call. The un.k.f. nurse I seen changed my med's to Acetaminophen and Iubprofen then said let's see how that will work which was around the 8.20.19. However I'm still asking why am I not getting my Humira shots and she said that they <sup>cost</sup> too much, about a week and a half my knees and feet had swollen up bad and was hurting me to the point that I was crying I saw Sgt. White at the Deputy Station and ask for help He said that he would go talk to medical but I never heard anything back from him. At pill call that same day I showed the nurse un.k.f. my knees and feet and she told to put in a sick call.

Two to three days later Sgt White came back to C unit and I ask him what happen he said they didn't come and get you I told him no he said that he talked to them but he don't have any control over medical. The next day Lt. Freeman came to C unit and I showed him that my right wrist both knees and feet had swollen up and I was hurting bad and I ask Sgt White for help but I had seen anyone since I talk to him which he came in at the time Lt. Freeman and I was talking and told Lt. Freeman that he talk to medical which Lt. Freeman said that he would go and talk to them, which he did and came back and told me that medical should be to see me soon.

Feeling helpless and emotionally depressed because I was physically hurting and couldn't do anything for my self and couldn't get any help had me mentally going through a lot so I wrote a grievance. The next day I was call to medical and the nurse un.k.f. ask me what's going on I told her that I have (R.A.) and what I'm being giving is not helping me and my condition is getting worse she said you will have to see the Provider, I told her that I have <sup>approve</sup> the Provider and he told me that he was going to see if they would approve me for the Humira shot but I have not heard anything back. She said will I'm going to put you in to see him <sup>again</sup> so he could tell you what's going on. I never got to see him I seen a black female doctor who said she want me to take some tests and she was going to get my records which they took my blood that day. but two to three days later I was shipped to Greene County Detention Facility.



On 9.20.19 I was shipped from Pinck County to Green County of Arkansas told the deputy that I have a bottom bunk scrip because of my Rheumatoid Arthritis (RA) and ask did my medical jacket come with me and he said he don't know but they will get it straight. On 9.23.19 I was called to medical and seen nurse J. Tarowbridge so I told her that I have (R.A.) and I've been off my meds then I ask did my medical jacket come with me and she said no. well I told her that I have a Low Level bottom bunk scrip because of my Rheumatoid Arthritis and I was taking humira shots twice a month in calico Rock Pennitgaru before I came to the county she said I think your med's came with you Ibuprofen and Tylenol I told her that them meds was not helping me and showed her my hands and knees had fluid and was swollen and that I was in pain. She told me that she would look into it but that was all for now. I put in a medical request on the 9.28.19 about a bottom bunk due to mu (R.A) and was told that they don't give out scrips for that. After going back and forth with nurse K. Johnson on the kiosk 9.29.19 I explain I have always had a low bunk Low Level scrip because of mu R.A. I have problems with my hand, knees, ankle and feet she told me it was nothing she could do about it. I Appeal on 10.1.19 at 3:52 AM and Ms. T. Huggins LPN responded back on the 10-1-19 at 3:43 PM you will be seen. On 10.3.19 I was seen and I showed her my knees and hand where swollen and full of fluid and I was in pain the nurse T. Huggins said that she can't give me a scrip that I would have to see the provider, and she would let her know and get back with me but I never heard anything back. On 10.7.19 I went to court for my detention hearing my lawyer Chris Tarver ask Judge Joe J. Volpe to let me be release so I can get proper care for my R.A which has been a long going issue and that I receive disability for it. He said that he would have the us. marshal to look into it and some one from the marshal service that was in court that day ask me have I out in a grievance and I said yes he said he would contact Green County about it but I didn't hear nothing about it. Once back at Greene County the move me from a bottom bunk to a top bunk and I told the deputy that I should have a bottom bunk because I can't get on top he told me to lay on the floor until he go up front and see what's going on. He never come back I put in a grievance 10.7.19 explaining mu situation and medical history on 10.9.19 at ~~7:01~~ Sgt B. Harris responded that it's nothing he could do I Appeal on 10.9.19 at 7:01 say I'm being denied proper medical treatment and left untreated and in fear of being punish because I'm unable to climb up on top bunk. 10.10.19 Sgt. B. Harris at 7:13 responded I will pass it on to Brent Cox and medical staff but I never heard anything back about it. On 10.12.19 I put in a sick call explaining mu issue and mu meds are not working LPN K. Johnson responded 10.13.19 at 6:30 AM unfortunately humira is not on our formulary of medications used at this facility so you want to be seen again to see if the provider will consider an alternative medication. I Appeal 10.13.19 at 12:44 pm yes LPN K. Johnson responded 10.13.19 at 4:00 pm upon further investigation. I see the provider has approved for your medication to be changed to mexolican which is generic for Mobic if you would like to try that. so there is no need for another sick call. Do you want your medication changed to that. 10.13.19 I responded I would try the medicine but I would like to inform the doctor that medicine

in the past didn't work which shows no medical history followed by the doctor. yes I will try the medicine. On 10.17.19 breakfast call was made for use to 19ne upon the wall. My cell mate Raymon moore didn't want breakfast so he didn't get up DuPutu W. Gibson open the door after every one got there tray and call R. moore He came to the cell door and deputy W. Gibson told him to pack up he's going to the hole then ask who's matt on the floor and I said it was mine. and he told me to go pack up to once I got my thing and enter the Hall way I ask who was I getting locked up, he said for interfering with facility operation. I said how for sleeping on the floor because I can't climb up on the top bunk and I showed him my hands and knees where swollen he said that not my problem and took me to the hole once there he ask mech I want to wave my rights to a hearing and I said no and fill out my statement sheet. He left and came back and got it. The Next day I tried to put in a grievance and I was not entered into the kiosks yet, so the day after on 10.19.19 I put one in but nothing was done about it or response. I put in a new sick call because the New med's with in a week had not help me and my condition had gotten worsen, my Ankil, Knees. hands and neck had fluid on them and I was in alot of pain to the point that I couldn't sleep through the night. On 10.23.19 at 4:10 PM T. Huggins responded, you will be seen by the nurse at sick call. On 10.24.19 I went and seen Nurse J. Trowbridge showing her that I had fluid in different parts of my body and swollen and the med's they had me on didn't stop the pain or the swelling. she said she talk to the provider and see what he want to do, but for now it's nothing she could do. 10.26.19 between 6:10 to 7:10 AM I ask deputy Ford at breakfast to call the nurse with tears in my eyes because I was hurting very bad and that I've been up all night from my (RA) and showed him both hands hands had swollen with fluid my left Elbow and both knees. I told him I need something for pain he responded saying it's not much can be done about that, he never call the nurse. at 9:00 AM nurse K. Johnson did pill call I told her the same thing about the pain have had me up since the day before with tears running and my med's are not helping. She ask if I put in a sick call I responded yes mam and I seen Nurse J. Trowbridge on 10.24.19 And she said she going to talk to the provider. So she said she don't know what to do but give me what I've been taken. on 10.30.19 I filed a grievance about my chronic condition that's not being treated. on 11.1.19 at 8:45 AM Sgt. B Harris responded saying he will check with medical but never responded back. 11.2.19 I filed A sick call about the same issue with my med's not addressing my condition and I have been showing the nurses and deputies that my condition is getting worsen and they keep telling me they will talk to the provider but no one responce back. On 11.5.19 at 10:00 am I was call out to see the Provider and before I got down the Hall deputy Ford was call and told the could Take me back because the Provider didn't need to see me. On 11.8.19 I filed a grievance about the provider refused to see me but perscrib medication on the 11.5.19 with out seeing me.

on 11.21.19 Sgt. Harri responded saying that he would talk to medical. I never got a response back. On 12.4.19 I filed a sick call explaining my situation about my pain and that it's been three weeks since the provider has given me new meds and their not working my condition has not gotten better. On 12.5.19 I put in a new sick call at 816 by LPN T. Huggins she responded that I will be seen at sick call on 12.6.19 I went to sick call and seen LPN T. Huggins I showed her now I was swelling in other area along with my hands, knees and elbow and she said she put me in to see the provider because he need to see this himself. On 12.10.19 I seen the provider for the first time and he saw that all my complaints and grievance were factual and the meds he was giving me was not working and decided to put me in for humira. I also told him that they have locked me up for not being able to climb up on top bunk and call nurse T. Huggins and told her to put me in for a low bunk because I have a mobility issue. then told me I will be contacted when they hear something back but for now we will keep you on the same med because they got to be doing something for the pain, because it's nothing else he can give me right now. On 1.2.20 I put in a request to medical about if they approved me for the humira shot and nurse T. Glenn on 1.6.20 responded at 1.28 PM I am looking through your records regarding this matter but she never responded back. 1.9.20 I put in another request to medical saying it's been over 4 weeks and I'm still suffering through a lot of pain. Nurse J. Trowbridge responded back saying the system was down at the united state marshal service. On 1.15.20 I put in another request to see if the humira shot have been approved and was told that U.S.M.S. system was still down by nurse J. Trowbridge. I put in another request 1.21.20 to see if they have approved the Humira shot. Because I was experiencing pain as I set, when I walk or take a bath and when I dress. 1.22.20 at 5:55 AM nurse J. Trowbridge said they hadn't gotten back with the U.S.M.S. I appeal on 1.22.20 saying I'm still in pain and you told me that last week. Nurse T. Glenn on 1.22.20 responded was we will find out and get back with you on 1.24.20 nurse J. Trowbridge at 11.27 AM that I had been approved for the Humira injection it has been ordered. On 1.26.20 I was told at pill call by Nurse K. Johnson that my meds has been put on hold because they cost 5,000 dollars and they don't know who going to pay for them. On 1.28.20 I put a request in to medical asking if my meds been approved and was told yes by Nurse T. Glenn but they don't know how to bill the U.S.M.S. I appeal asking who is responsible for making this decision. On 1.29.20 Nurse T. Glenn response was U.S.M.S. is all I know on 2.1.20 I filed a request to medical saying it's been over two months since my meds been approved and I still have not gotten them yet.

I need to know what's going to be done because I'm suffering. Case 3:20-cv-00109-JM Document 2 Filed 04/06/20 Page 12 of 16

Nurse T. Glenn response was on 2.2.20 at 10:30 AM The med that you are on is the strongest that we are allowed to give. We are still waiting on U.S.M.S. for the humira to be funded. I Appeal on 2.8.20 saying that was the problem the meds are not helping me to stop from losing my mobility and the pain is starting to hurt when ever I move. Who is this the only facility that doesn't know how to charge the U.S.M.S. because they have paid before for my meds. nurse J. Trowbridge responded on 2.11.20 at 8:48 AM We are continuing to resolve this. 2:18.20 at morning pill call I told nurse J. Trowbridge that the meds they have me on was not helping and that I was a lot of pain and I hardly stand less on walk now my feet, ankle and knee with my wrist was swollen with fluid on them and at that point was crying from the pain. She said that she can tell that I was hurting but it's nothing she could do the U.S.M.S. want pay for your meds, But I will see you in the morning for Sick call. 2.19.20 I went to Sick call at 5:10 AM and seen nurse J. Trowbridge and she seen that my feet, ankle going back and forth with U.S.M.S. about my meds. because my shots cost 5000 dollars and they don't want to pay for it so I'm left to suffer with out proper care. she said she will call the provider to see if it something else they can do, but for now you don't have to stand on the wall when they have calls in the unit. Once I got back to the unit I put a request in to nurse J. Trowbridge ask who she been talking to about this issue. Nurse T. Glenn responded 2.19.20 we send the pmt to U.S.M.S. that's the name. I Appeal on 2.19.20 at 10:54 AM asking her to help me understand how is this facility has a policy 12.41.505 which say this is a pay to stay facility and you bill every one else here for there meds when they can't pay them then why am I treated differently. Nurse T. Glenn responded on 2.20.20 at 2:58 PM I am working on this matter with administration 2.21.20 Deputy Smith at pill call said to me why do they have you climbing up and down the stairs when you can barely walk I'm going to see if I can get you moved to the bottom floor. around 11:45 AM deputy brode came to the unit and moved me from 11 to 5 At 2:15 PM nurse K Johnson came to the unit and ask me to sign a release form for my medical records and where did I get diagnose. I told her at Coleman II in the B.O.P. in Florida they sent me to see a Rheumatologist specialist. She told me Thanks that all.

on 2.21.20. My meds dosage had change because my pills where bigger then before. on 2.26.20 I showed nurse Seth at pill call that my hands and wrist had fluid on them and was swollen with pain. However he look at them but didn't do anything only said yes they are swollen and look at me like it nothing I can do.



On 1.19.20, I showed A un.k.f. nurse who just started that my hand and wrist where still had fluid and swollen with pain she just look at them and the deputy said well ok and close the door. On 3.1.20 I put in a grievance about my meds where not helping me at all and that every one else get there meds and be bill but not me. On 3.2.20 my response was you have been put in to be shipped. On 3.6.20 I was told to go pack up you are getting shipped. once I got up front Brent Cox walk by saying that I was getting shipped back to Pulaski county where they have medical staff full time because they don't have that here yet. So they shipped me to Pulaski county with out a medical jacket or report or med's, and didn't give me any med's for my pain befor I left.

Once I got to Pulaski I seen the intake nurse K. Burrow she ask me how I hurt my leg I told that I have Rheumatoid arthritis and show her my feet, knees and hand had fluid on them and was swollen and I was in pain she ask what I was taking. I told her that I was on Humira But they stoped it here and I been on Tylenol 500mg 2 twice daily, meloxicam 7.5mg twice a day and methotrexate 2.5mg 3 tabs every Thursday. So she put me down for Low Level bottom bunk and to be seen by the Provider. At all times pertinent to these claims, I had a diagnoses of RA. Further, all grievance are on Kiosk at Green County, wherefore, Discovery Order would have to issue.



VIII. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Compensatory Damages, punitive Damages, Consequential Damages  
Discretionary Damages, Future Damages, Inadequate Damages, permanent  
Damages and Resolve any state law claims Take Jurisdiction over any state law  
claims a jury trial on all issues triable by jury all other necessary and (8A)→

I declare under penalty of perjury (18 U.S.C. § 1621) that the foregoing is true and correct.

Executed on this 2 day of April, 2020.

Frederick A. Mote

\_\_\_\_\_  
Signature(s) of plaintiff(s)

appropriate relief. A Declaration that states the acts omissions of the defendants violated Plaintiffs rights under the constitution laws and treaties of state.

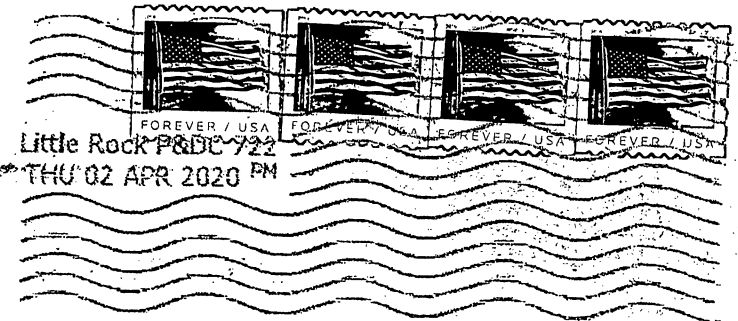
All preliminary injunctive relief and mandatory injunction.

JURY TRIAL DEMANDED.

VII Relief (8A)

Frederick B Moore  
3201 W Roosevelt Rd.  
Little Rock, AR 72204

RECEIVED  
U.S. MAIL SERVICE  
APR 02 2020  
THU 02 APR 2020 PM



pro se clerk  
600 West Capitol Avenue, Room A149  
Little Rock, Arkansas 72201